

12/31/01  
jc923 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(PATENT APPLICATION)

Docket No. AM100389  
Anticipated Classification  
of this application:  
Class: Subclass:

1036 U.S. PTO  
10/029840  
12/31/01

ASSISTANT COMMISSIONER FOR PATENTS  
USPTO Office of Initial Patent Examination  
Crystal Plaza Building 2, Room 1B03  
2011 South Clark Place  
Arlington, VA 22202

FILING OF NEW PATENT APPLICATION

SIR: Transmitted herewith for filing is a patent application of Xiang-Jin Meng (resident of Blacksburg, VA and citizen of P.R. China), Gholamreza Haqshenas (resident of Blacksburg, VA and citizen of Iran) and Fang-Fang Huang (resident of Blacksburg, VA and citizen of P.R. China) for AVIAN HEPATITIS E VIRUS, VACCINES AND METHODS OF PROTECTING AGAINST AVIAN HEPATITIS-SPLENOMEGALY SYNDROME AND MAMMALIAN HEPATITIS E. This is a request for filing a nonprovisional application claiming the right of domestic priority under 35 U.S.C. § 119(e) of copending U.S. Provisional Application No. 60/259,846, filed on January 5, 2001. Enclosed are the following documents, fee payment and relevant statements:

1. Papers Required for a Filing Date under 37 C.F.R. § 1.53(b):
  - ☒ 56 Pages of specification
  - ☒ 3 Pages of claims
  - ☒ 1 Page of Abstract of the Disclosure
  - ☒ 35 Sheets of [ ] formal ☒ informal drawings
2. Declaration and Power of Attorney:
  - ☐        Page(s)
  - ☒ Not enclosed
3. Additional Papers:
  - ☐ Preliminary Amendment
  - ☐ Information Disclosure Statement
  - ☐ Form PTO-1449 in Duplicate
  - ☐ Publications

- [ ] Declaration of Biological Deposit  
 [ ] \_\_\_\_ Page(s) of Sequence Listing  
 [ ] \_\_\_\_ Sequence Listing Diskette(s)

4. Assignment:

- [ ] \_\_\_\_ Page(s)  
 [X] The prior U.S. Provisional application is assigned of record to Virginia Tech Intellectual Properties, Inc., having its principal place of business at 1872 Pratt Drive, Suite 1625, Blacksburg, VA 24060. The assignment was recorded on May 31, 2001 in the Assignment Division of the U.S. Patent and Trademark Office on the Reel and Frame No. 011859/0299.

5. Calculation of Filing Fee:

FOR	NO. FILED	NO. EXTRA	RATE	FEE
Basic Fee				\$740.00
Total Claims	20 - 20 =	0	x \$18.00	0
Indep. Claims*	5 - 3 =	2	x \$84.00	\$168.00
Multiple Dependent Claim			\$280.00	0
Recording of Assignment			\$40.00	---
			Total Fee	\$908.00

\*Independent Claims are Claims 1, 3, 8, 14 and 19.

6. Fee Payment:

Please charge Deposit Account No. 01-1300 in the amount of \$908.00 for the payment of the filing fee. A duplicate copy of this transmittal sheet is enclosed.

7. Instructions as to Overpayment:

Please credit any overpayment to Deposit Account No. 01-1300.

8. Authorization to Charge Additional Fees:

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 01-1300:

[X] 37 C.F.R. § 1.16(a), (f) and (g) filing fees

[X] 37 C.F.R. § 1.16(b), (c) and (d) presentation of extra claims

[X] 37 C.F.R. § 1.16(e) surcharge for filing the basic filing fee and/or Declaration on a date later than the filing date of the application

[X] 37 C.F.R. § 1.17 application processing fees

9. [X] With respect to the prior copending U.S. Provisional application from which this application claims the benefit of the earlier filing date and the right of domestic priority under 35 U.S.C. § 119(e) for the same matter: (1) the prior Provisional application was filed with at least one common inventor as in this application; (2) this application is being filed before the abandonment of the Provisional application; and (3) this application contains a specific reference to the earlier filed Provisional application by stating: "This application claims the benefit under 35 U.S.C. § 119 (e) of U.S. Provisional Application No. 60/259,846, filed January 5, 2001."

10. [ ] Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_(country)\_\_\_\_\_ is claimed under 35 U.S.C. § 119. The certified copy has been filed in prior application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

11. [X] The invention was made [ ] by an agency of the United States Government or [X] under a contract with an agency of the United States Government, with following details: The present invention was supported in part by grants. The name of the U.S. Government agency and the

Government contract number are National Institutes of Health, AI01653-01 and AI46505-01.

12. KINDLY ADDRESS ALL FUTURE COMMUNICATIONS TO:

Anne M. Rosenblum, Esq.  
163 Delaware Avenue - Suite 212  
Delmar, NY 12054  
Tel. No. (518) 475-0611

Respectfully submitted,  
FORT DODGE ANIMAL HEALTH, INC.

Date: December 28, 2001 By: Anne M. Rosenblum  
Anne M. Rosenblum  
Attorney for Applicants  
Registration No. 30,419

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CERTIFICATE OF HAND-DELIVERY OF PAPERS

I hereby certify that this correspondence and the above-identified enclosures are being hand-carried and delivered in person to the U.S. Patent and Trademark Office on 12/31/01.

Signed: Chi Nelli